

PATENT APPLICATION
042390.P10047C

Remarks

By this amendment, claims 1, 2, 7, 10-12, 14, 16-18, and 27-29 have been amended, claims 30-38 have been added, and claims 4, 6, 13, 15, and 19-26 have been cancelled. Accordingly, claims 1-3, 5, 7-12, 14, 16-18, and 27-38 are in the Application.

Applicants amended the Specification to make explicit that which was inherent or implicit in the original application as filed. See discussion below. Applicants respectfully submit that no new matter has been added.

For purposes of this Application, Applicants do not intend to be limited by any comments or arguments made in any related applications. In addition, some limitations have been intentionally removed from the claims to broaden or alter the scope of the claims, and Applicants do not intend to be limited to any claim construction that includes the deleted limitations.

Amendment Support

In the parent Application (Application No. 09/897,174), the Examiner objected to the use of the term "non-optical" in the claims.

It is respectfully submitted that Applicants are entitled to amend the specification, including the claims and drawings, to make explicit that which was inherent or implicit in the original application as filed.

By this amendment, the specification and claims have been amended to include the terms "non-transparent electrode," "non-optical memory," and "non-optical storage device." Applicants believe that this added language is

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supported by Applicants' original Application as filed. For example, in one embodiment, Applicants discuss using non-transparent materials such as, for example, copper and aluminum, for the two electrodes of memories 10 and 110 illustrated in FIGS. 5 and 6, respectively. (see e.g., page 4, lines 11-14, and original claim 21). In addition, the original filed application discusses that one embodiment of a memory uses non-optical signal interfaces. On page 14, lines 11-18 of the original Application, the Application discusses that in one embodiment, a memory uses non-optical signal interfaces such as, for example, a bond wire for one signal interface and a lead frame for another signal interface. Although the term "non-optical" is not used in the original filed application, Applicants submit that the specification as originally filed, does convey to one skilled in the relevant art that one embodiment does include a non-optical memory and the use of non-transparent electrodes.

Accordingly, Applicants submit that the specification as originally filed, does convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants believe that the added language is supported by Applicants' original Application as filed. Further, Applicants respectfully point out that it is well understood that the scope of the claims is not limited to the embodiments discussed in the detailed description and not limited to that which is shown in the figures.

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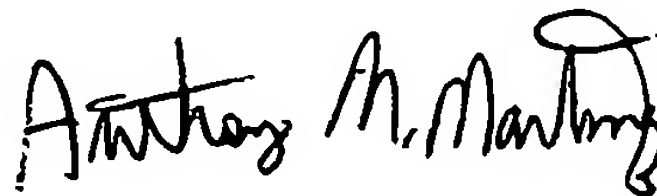
Conclusi n

In view of all of the above, it is believed that Applicants' claims are allowable, and the case is in condition for allowance, which action is earnestly solicited. Reconsideration of the rejections and objections is respectfully requested.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner believes that there are any informalities that can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 552-0624 is respectfully solicited.

Respectfully submitted,
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